

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

JAN 30 2006

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

PEDRO Q. BABAUTA,

Defendant - Appellant.

No. 05-10645

D.C. No. CR-04-00009-ARM

District of the Northern  
Mariana Islands

FILED  
Clerk  
District Court

ORDER

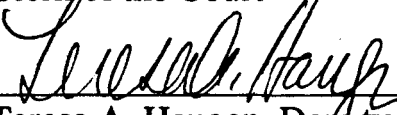
FEB - 7 2006

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

The appellant's motion for leave to file the opening brief late is granted. The opening brief is ordered filed. The appellant remains obligated to file corrected covers for the excerpts of record, pursuant to the Clerk's notice of receipt of a deficient brief. The answering brief is due February 21, 2006. The optional reply brief is due 14 days after service of the answering brief.

In view of the brevity of the sentence being served, the court sua sponte expedites this case. This case shall be placed on the May 2006 calendar. No telephonic extensions of time to file briefs will be granted pursuant to Ninth Circuit Rule 31-2.2(a). Written requests for extensions of time are discouraged and will not be granted absent a showing of extraordinary circumstances.

For the Court:  
CATHY A. CATTERSON  
Clerk of the Court

  
\_\_\_\_\_  
Teresa A. Haugen, Deputy Clerk

9th Cir. R. 27-7/Advisory Note to R. 27  
and 9th Cir. R. 27-10

promo 1.23